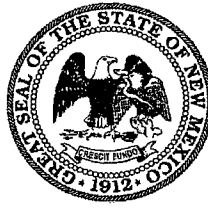


NEW MEXICO PUBLIC REGULATION COMMISSION

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Johnny L. Montoya

INSURANCE DIVISION

John G. Franchini, Superintendent
505-827-4601

May 22, 2013

Gary Cohen, Director
Center for Consumer Information and Insurance Oversight
Department of Health & Human Services
Centers for Medicare & Medicaid Services
7500 Security Blvd.
Baltimore, MD 21244-1849

Dear Mr. Cohen,

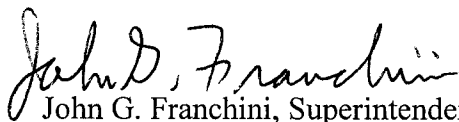
As the Superintendent of Insurance for New Mexico, I am tasked with chairing the board for the New Mexico Medical Insurance Pool. Consequently, I have been very involved in the creation and implementation of New Mexico's Pre-Existing Condition Insurance Plan (PCIP). Over fifteen hundred New Mexicans with serious health conditions are currently enrolled in this program with the assurance that it would be available to them in its current form through the end of 2013.

I am very concerned about the disruption that will be caused to members of the PCIP by the changes of contract terms being proposed by our federal partners. Many are currently receiving a course of treatment and their continuity of care will be at risk if the proposed changes go into effect.

Additionally, this abrupt decision, announced after the New Mexico state legislation closed for the current year, leaves us unable to even ask the state legislature to appropriate supplementary funds.

I call on the federal government to fulfill its commitment by paying the full costs of the NM PCIP program as it originally agreed to do. New Mexico Medical Insurance Pool has met its commitments as administrator of the program. We entered into this agreement in good faith and I request that the federal government honor their commitment and written agreement to pay for all costs for the life of the program.

Sincerely,

A handwritten signature in cursive script, reading "John G. Franchini". The signature is written in dark ink and is positioned above the printed name.

John G. Franchini, Superintendent
NM Public Regulation Commission
Insurance Division